

**LOCAL AGENCY FORMATION COMMISSION
COUNTY OF SAN BERNARDINO**

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DATE: JANUARY 7, 2005
FROM: SAMUEL MARTINEZ, LAFCO Analyst
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #5: LAFCO SC#244 – City of Redlands OSC 04-08 for Water Service (APN 0298-013-24)

INITIATED BY:

City of Redlands, on behalf of property owner

RECOMMENDATION:

1. Certify that SC #244 is statutorily except from environmental review, and direct the Clerk to file a Notice of Exemption within five days.
2. Approve SC #244 authorizing the City of Redlands to extend water service outside its boundaries to Assessor Parcel Number 0298-013-24.
3. Adopt LAFCO Resolution #2857 setting forth the Commission's findings, determinations and approval of the agreement for service outside the City of Redlands' boundaries.

BACKGROUND:

The City of Redlands has submitted a request for approval of an out-of-agency service agreement that outlines the terms by which it will extend water service. The agreement relates to a single parcel generally located on the southwest corner of San Bernardino Avenue and the Atchison Topeka and Santa Fe Railroad (1798 E. San Bernardino Avenue) between Opal Avenue and Jasper Avenue. The parcel proposed for development is within the City's eastern sphere of influence which encompasses the community known as "Mentone". Attachment #1 provides a location and vicinity map of the site along with a map outlining the location of the infrastructure to be extended.

The City, on behalf of the property owner, has requested that the Commission review and approve the extension of service pursuant to the provisions of Government Code Section 56133. The property owner is currently processing the building permits for the construction of a single-family residential unit on the property. Prior to occupancy, the property owner will need to provide proof of authorization to connect to the City’s water facilities.

Pursuant to the Commission’s application requirements for service contracts, information has been provided regarding all financial obligations for the extension of service outside the agency’s boundaries. The City has indicated that the costs for the extension of water service to the parcel are as follows:

Water Source Acquisition Charge	\$1,280 x 1 unit	\$1,280
Water Capital Improvement Charge	\$7,125 x 1	\$7,125
TOTAL		\$8,405

The City’s General Plan, implementing Measure U, requires a developer who needs utility services outside the City boundaries to pay an amount equivalent to all capital improvements and other development fees, unless the parcel that is being developed is considered an “infill lot”. By definition, infill means “the lot is surrounded on two sides with existing development.” This project is considered to be an infill development; therefore, the fees do not apply. The only fees applied to this project are the water connection charges outlined above.

In addition to the cost outlined above, the property owner will be required to install the connection to the 30-inch diameter water transmission main in San Bernardino Avenue, install an 8-inch diameter water main in San Bernardino Avenue from the easterly boundary of APN 0298-013-24 across the frontage of the parcel as well as provide fire hydrants as required by the County Fire Marshal, all at the owner’s expense. Future occupants of the residential unit will be charged 1.5 times the in-city monthly rate for water service. The higher rate charged to outside customers is intended to help offset the costs for service delivery outside the City’s corporate boundaries.

Authorization of this agreement by the Commission is required before the City can take the final actions to implement the terms of the agreement. Therefore, staff supports the City’s request for authorization to provide water service to the proposed residential development since its facilities are adjacent to the anticipated development, and there is no other existing entity available to provide this service within the area.

FINDINGS:

1. The project area, identified as APN 0298-013-24, is within the sphere of influence assigned the City of Redlands. The application requests authorization to receive City of Redlands water service.

2. The City of Redlands OSC 04-08 is being considered for the provision of water service to a parcel (APN 0298-013-24) located south of San Bernardino Avenue between Opal Avenue and Jasper Avenue. This contract will remain in force in perpetuity or until such time as the area is annexed. Approval of this application will allow the property owner and the City of Redlands to proceed in finalizing the contract for the extension of water service.

Moreover, the County Land Use Services Department – Building and Safety Division is processing the construction of a single-family residential unit on the property. One of the requirements prior to occupancy is verification that a water connection to the project is available through the City of Redlands. Approval of the City’s request for authorization to provide water service will satisfy this requirement.

3. The fees charged this project by the City of Redlands are identified as totaling \$8,405 (Water Source Acquisition Charge – \$1,280; Water Capital Improvement Charge – \$7,125). Payment of these fees is required prior to connection to the City’s water facilities.

Also, the property owner will be required to install the connection to the 30-inch diameter water transmission main in San Bernardino Avenue, install an 8-inch diameter water main in San Bernardino Avenue from the easterly boundary of APN 0298-013-24 across the frontage of the parcel as well as provide fire hydrants as required by the County Fire Marshal, all at the owner’s expense.

4. As the CEQA lead agency, the Commission’s Environmental Consultant, Tom Dodson and Associates, has reviewed the service contract submitted by the City of Redlands and recommended that this application is statutorily exempt from environmental review. A copy of Mr. Dodson’s response is included as attachment #3 to this report.

KRM/sm

Attachments:

1. Vicinity Map and Maps of the Contract Area
2. City of Redlands’ Application and Contract
3. Response from Tom Dodson and Associates
4. Draft Resolution #2857